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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 4, 2001

APPLICATION OF

VIRGINIA GAS PIPELINE COMPANY

CASE NO. PUF010013

For authority to incur  
indebtedness and to acquire  
public utility assets

ORDER ON MOTION

On September 5, 2001, the State Corporation Commission ("Commission") entered an order in this case authorizing Virginia Gas Pipeline Company ("VGPC") to acquire the utility assets of its affiliate Virginia Gas Company ("VGC") pursuant to Chapters 3 and 4 of Title 56 of the Code of Virginia. In that order, however, we noted that because VGPC and VGC did not seek or obtain approval for VGC to own the facilities that were a subject of the application in this case, the Commission may have cause to address the matter in a separate proceeding.

On October 2, 2001, the Staff of the Commission ("Staff") filed a Motion for Consideration of Settlement Agreement with the Commission, along with a copy of the Settlement Agreement ("Agreement") entered into by the Staff and VGPC. According to the Motion, the Agreement resolves all issues related to VGC assuming the role of a general contractor for, and ownership of, the expansion of the VGPC pipeline segment terminating in Radford, Virginia. According to the Motion, the Agreement also intends to resolve all issues related to the appeal of Case No. PUE000586 currently pending before the Virginia Supreme Court.

On October 3, 2001, the Commission learned that Stacy Snyder ("Snyder"), the Appellant in the matter pending before the Virginia Supreme Court, would like an opportunity to respond to the Staff's Motion.<sup>1</sup>

NOW THE COMMISSION, having considered the Motion, Snyder's request to respond, and the applicable statutes and rules, finds that Snyder should be given an opportunity to respond to the October 2, 2000 Motion, and the Staff and VGPC should be given an opportunity to reply to the response.

Accordingly, IT IS ORDERED THAT:

(1) On or before October 10, 2001, Snyder may file a response to the Staff's October 2, 2001 Motion. Such response may be filed by fax to the Clerk of the Commission at (804)371-9654. Copies shall be served simultaneously by fax on counsel for the Staff, William H. Chambliss, Esquire, at (804)371-9240 and counsel for VGPC, JoAnne L. Nolte, Esquire, at (804)819-1753. Pursuant to the Commission's Rules of Practice and Procedure, 5 VAC 5-20-80 B, any such response shall contain: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought; and (iii) the factual and legal basis for the action.

(2) On or before October 11, 2001, the Staff and VGPC may reply to Snyder's response. Copies of the replies shall be served simultaneously by fax on Stacy Snyder at (540) 381-7544.

(3) This case is continued for further orders of the Commission.

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<sup>1</sup> Snyder sent a letter by facsimile to the Commission's General Counsel stating her objection to the Motion and her desire to file such objection prior to the Commission's ruling on the Motion.